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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/738,359	12/17/2003	Kenneth I. Lipow	NRB-101A (501328.20107)	8565
7066	7590	10/19/2009	EXAMINER	
REED SMITH LLP			MARC, MCDIEUNEL	
2500 ONE LIBERTY PLACE			ART UNIT	PAPER NUMBER
1650 MARKET STREET				3664
PHILADELPHIA, PA 19103				
			MAIL DATE	DELIVERY MODE
			10/19/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Washington, D.C. 20231

## Withdrawal of the Notice of Abandonment

Application No. 10/738359

Filed: 12/17/2003

For: Surgical Robot and Robotic Controller

A review of the above application reveals that a rejection was mailed to the applicant on 03/13/2009. A three month shortened statutory period for response was given to respond to that action. No response was recorded as being received by the Office and thus the application was abandoned on 09/16/2009. Recently, however, the Office did locate a response submitted by the applicant. The submission was dated within the response period set in the above rejection and apparently crossed in the mail with the Notice of Abandonment.

In view of these facts, the abandonment of the application is considered premature and is hereby withdrawn. The application will be forwarded to the Examiner for consideration of the Response filed 09/11/2009.

Shanda Ross

Supervisory Legal Instruments Examiner

Patent Technology Center 3600

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